

**AGENDA**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, MAY 11, 2004**  
**COUNTY COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, May 6, 2004. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).
  
- 2) **SPECIAL PRESENTATIONS:**
  - A. Proclamation in Support of National Tourism Week - Wendy Birdsall, Chamber of Commerce Executive Vice President and Interim Convention and Visitors Bureau Director
  
  - B. Region V Annual Report - C. J. Johnson, Director of Region V Systems; Dave Merrill, Executive Director, Region V Services
  
  - C. Recognition of Diane Carlson for Outstanding Service to Lancaster County.
  
- 3) **PUBLIC COMMENT:** The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments will be limited to items on the agenda.
  
- 4) **CLAIMS FOR REVIEW:**
  - A. Payment Voucher 625-539, dated April 19, 2004, payable to Scott P. Helvie, in the amount of \$18. Payment is for the reimbursement of mileage between August 27, 2003 to December 12, 2003. Claim is beyond the 90 day time period (see Neb. Rev. Stat. §23-135).
  
  - B. Payment Voucher 649-0192, dated April 16, 2004, payable to Layman & Associates, in the amount of \$871.25. Payment is for an appraisal for 2205 St. Mary's Avenue completed in May, 2003.
  
- 5) **CLAIMS:** Approval of all claims processed through Tuesday, May 11, 2004.

**IF YOU ARE HERE TO PARTICIPATE ON AN ITEM AND NEED SPECIAL CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER PROBLEM, PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY ACCOMMODATE YOUR NEEDS.**

6) **PUBLIC HEARINGS:**

- A. An application for Corporate Manager for Orville A. Gertsch in connection with an application for a Class Y (Farm Winery) liquor license for Prime Country Winery L.L.C., located at 11800 Southwest 142<sup>nd</sup> Street, Denton, Lancaster County, Nebraska.
- B. County Change of Zone 04020, requested by Kenneth Morrow, from AG Agricultural to AGR Agricultural Residential on property generally located at Northwest 105<sup>th</sup> Street and West Fletcher Avenue in Lancaster County, Nebraska. (See New Business Item 6A for resolution.)
- C. Comprehensive Plan Amendment 04017, requested by the Director of Public Works & Utilities and the Lower Platte South Natural Resources District , to amend the 2025 Lincoln-Lancaster County Comprehensive Plan, to replace and update language relating to floodplains and the recommendations of the Mayor's Floodplain Task Force for Flood Standards for New Growth Areas. (See New Business Item 6B for resolution.)
- D. Comprehensive Plan Amendment 03007, requested by the Lancaster County Board of Commissioners, to amend the 2025 Lincoln-Lancaster County Comprehensive Plan, to remove reference to determination of County impact fees. (See New Business Item 6C for resolution.)

8) **OLD BUSINESS:**

- A. An agreement with Cole Layer Trumble Company for software and professional services for the Lancaster County Assessor/Register of Deeds Office, in the amount of \$1,447,507. (C-04-0208)

9) **NEW BUSINESS:**

- A. A resolution in the matter of County Change of Zone 04020, requested by Kenneth Morrow, from AG Agricultural to AGR Agricultural Residential on property generally located at Northwest 105<sup>th</sup> Street and West Fletcher Avenue in Lancaster County, Nebraska. (R-04-0042)
- B. A resolution in the matter of Comprehensive Plan Amendment 04017 requested by the Director of Public Works & Utilities and the Lower Platte South Natural Resources District , to amend the 2025 Lincoln-Lancaster County Comprehensive Plan, to replace and update language relating to floodplains and the recommendations of the Mayor's Floodplain Task Force for Flood Standards for New Growth Areas. (R-04-0044)

9) **NEW BUSINESS CONTINUED:**

- C. A resolution in the matter of Comprehensive Plan Amendment 03007, requested by the Lancaster County Board of Commissioners, to amend the 2025 Lincoln-Lancaster County Comprehensive Plan, to remove reference to determination of County impact fees. (R-04-0043)
- D. A resolution in the matter of amending Resolution 04-0016 which adopted the 2000 Edition of the Lincoln Plumbing Code. The amendment changes the effective date of those Code sections, which require that persons engaging in the plumbing business be registered by the City of Lincoln Building and Safety Department, to July 1, 2005. (R-04-0045)
- E. A resolution in the matter of amending Resolution 04-0015 which adopted Lincoln's Heating, Ventilating and Cooling Code. The amendment changes the effective date of those Code sections, which require that persons engaging in the heating, cooling and ventilating business be registered by the City of Lincoln Building and Safety Department, to July 1, 2005. (R-04-0046)
- F. A change order supplemental agreement number 1 with L.J. Webb Contractor, Inc. for Project 04-21 for culvert replacement and maintenance. The original contract was approved on April 27, 2004. The change order will increase the contract amount by an additional \$24,086.95. (C-04-0209)
- G. A contract with M.E. Collins Contracting Company, Inc. for labor, materials and equipment necessary for maintenance of concrete box culverts, Project 04-13, at various locations within Lancaster County, in the amount of \$234,452.92. The work will commence on May 3, 2004 and be completed by October 15, 2004. (C-04-0211)
- H. A contract with Brandt Excavating for labor, materials and equipment necessary for erosion control at box culverts and bridges, Project 04-02, in the amount of \$83,948.93. The work will commence on May 10, 2004 and be completed by September 3, 2004. (C-04-0212)
- I. An agreement with Southeast Community College (SECC) to host the Community Mental Health Center's Staff Development Day on May 14, 2004. SECC will provide the facilities, training packets, registration support, evaluation, food catering and guest speaker. The County will pay \$3,720 for such services. (C-04-0213)
- J. An addendum to an agreement between Lancaster County and Spectrum Rehabilitation Services, Inc. for rehabilitation services to Lancaster Manor. The addendum amends the original agreement to include a provision on client records. (C-04-0214)

9) **NEW BUSINESS CONTINUED:**

- K. Payment of attorney fees, in the amount of \$128.75, to Mary Stoughton Wenzl pursuant to Resolution 4572 for recovery of General Assistance Funds previously paid on behalf of Mahdi Abdoul Al-Shiblawy.
- L. Appointment of Estel Schroeder to the Lincoln-Lancaster County Ecological Advisory Committee for a three year term beginning January 1, 2004 and ending December 31, 2006.
- M. Appointment of Bob Evnen to the Lancaster County Personnel Policy Board beginning July 1, 2004 and ending June 30, 2009.
- N. An agreement between Lancaster County and BryanLGH for a temporary exchange of parking bays, beginning May 17, 2004 and ending June 30, 2005. (C-04-0217)
- O. Hiring of Cara Mickle as a Lancaster Deputy County Attorney at a salary of \$53,000 beginning May 10, 2004.

10) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

- A. Receive and Place on File:
  - 1. County Clerk's Monthly Report for April, 2004.
  - 2. Noxious Weed Control Authority's Monthly Report for April, 2004.
  - 3. Noxious Weed Control Authority's Monthly Report for the Combined Weed Program with the City of Lincoln for April, 2004.
  - 4. Records and Information Management's Monthly Report for April, 2004.
- B. Setting of public hearings for Tuesday, May 25, 2004 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:
  - 1. **County Special Permit 206, Four Wind Estates Community Unit Plan**, requested by Brian D. Carstens and Associates on behalf of Harlan and Judith Stiefel, for seven single family residential acreage lots, and associated waiver requests, on property generally located northeast of the intersection of Southwest 84th Street and West Old Cheney Road, Lancaster County, Nebraska.

10) **CONSENT ITEMS CONTINUED:**

2. **County Preliminary Plat 03009, Four Wind Estates**, requested by Brian D. Carstens and Associates on behalf of Harlan and Judith Stiefel, for seven single family residential acreage lots and associated waiver requests, on property generally located northeast of the intersection of Southwest 84th Street and West Old Cheney Road in Lancaster County, Nebraska.

3. **County Special Permit 04012**, requested by Douglas Rogers on behalf of U.S. Cellular Wireless Communications, for authority to construct a 225 foot broadcast tower capable of accommodating at least five carriers, with a request to waive the fall zone, on property generally located northeast of the intersection of South 148<sup>th</sup> Street and Highway 2, Lancaster County, Nebraska.

C. Setting of a public hearing for Tuesday, June 1, 2004 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding a petition from ten percent of the property owners living in Nealrene Acres and Nealrene Acres First Addition for formation of a Special Paving Improvement District for the paving of Ricky Road, Weeks Drive and Aubree Avenue. The name of the Special Paving Improvement District will be called Nealrene Acres Road Improvement District.

D. Request from Ryan Ehrlich, an employee in the Lancaster County Engineering Department, to voluntarily participate in the County's retirement plan having met the requirements.

E. Right-of-way contracts between the Lancaster County Engineering Department and the following individuals:

- ▶ **Goldie M. England**, Trustee, in the amount of \$14,215, at North 1st Street and McKelvie Road. (Interlocal project with Lincoln Electric System). (C-04-0210)
- ▶ **Scott D. Tallman and Laurie Stoehr-Tallman**, in the total amount of \$9,427.40, on Rokeby Road between South 56<sup>th</sup> and South 70<sup>th</sup> Streets; Project C55-P-427(1). (2 contracts) (C-04-0215 and C-04-0216)

11) **EMERGENCY ITEMS AND OTHER BUSINESS:**

12) **ANNOUNCEMENTS:**

A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, May 13, 2004 in Room 113 beginning at 8:15 a.m. on the first floor of the County-City Building.

12) **ANNOUNCEMENTS CONTINUED:**

- B. A public hearing will be held on Tuesday, May 18, 2004 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding an application for an amusement license from Fosters Tap Inc., located at 24049 South 12<sup>th</sup> Street, Princeton, Lancaster County, Nebraska to hold a street dance on Saturday, May 22, 2004 from 8 p.m. to 1 a.m..
- C. The Lancaster County Board of Commissioners will hold departmental budget hearings on various dates and times at the County-City Building (room numbers listed below) located at 555 South 10<sup>th</sup> Street, Lincoln, Nebraska:

**Thursday, May 20, 2004 - \*Room 212**

12:30 pm - Property Management  
1:00 pm - County Court  
1:30 pm - County Attorney  
2:00 pm - Public Defender  
2:30 pm - Assessor/Deeds  
3:00 pm - Election Commissioner  
3:30 pm - Emergency Management  
4:00 pm - Extension Office  
4:30 pm - Mental Health Center

**Thursday, May 27, 2004 - Room 113**

1:00 pm - Sheriff  
1:30 pm - Juvenile Probation  
2:00 pm - District Court  
2:30 pm - Juvenile Detention Center  
3:00 pm - Youth Assessment Center  
3:30 pm - Records Management  
4:00 pm - Diversion Services  
4:30 pm - Community Corrections/Indigent Defense

**Tuesday, June 1, 2004 - Room 113**

8:00 am - County Treasurer  
8:30 am - Corrections  
9:00 am - Families First & Foremost  
9:30 am - Weed Control  
10:00 am - County Clerk  
10:30 am - District Court Clerk  
11:00 am - Human Services  
2:30 - 6:00 pm - Reserved for additional hearings if necessary

**Thursday, June 3, 2004 - \*Room 212**

1:00 pm - Visitors Promotion  
1:30 pm - Veteran Services/Gen Assistance  
2:00 pm - Lancaster Manor  
2:30 pm - County Engineer & GIS  
3:00 pm - Information Services  
3:30 pm - Agricultural Society  
4:00 pm - Library  
4:30 pm - Juvenile Court

**\*Room 212 - Mayor's Conference Room located on the second floor of the County-City Building.**

**Other Budget Meetings will be Scheduled on a Staff Meeting Agenda:**

**Thursday, May 13, 2004** - Overview of Budget to County Board; County-City Building, Room 113

**Thursday, June 10, 2004** - 8:30 a.m.: Working Session, County-City Building, Room 113

**Thursday, June 10, 2004** - 2:30 p.m. to 4:00 p.m.: Working Session, County-City Building, Room 113

12) **ANNOUNCEMENTS CONTINUED:**

**Thursday, June 17, 2004** - 8:30 a.m.: Working Session, County-City Building, Room 113

**Thursday, June 24, 2004** - 8:30 a.m.: Working Session, County-City Building, Room 113

**Thursday, July 1, 2004** - 8:30 a.m.: Working Session, County-City Building, Room 113

**Tuesday, July 6, 2004** - 4 p.m.: Common Budget Hearings, County-City Building, Room 113

**Thursday, July 8, 2004** - 8:30 a.m.: Working Session, County-City Building, Room 113

**Tuesday, July 13, 2004** - 8:00 a.m. to 1 p.m.: Working Session, County-City Building, Room 113

**Friday, July 16, 2004** - 8:30 a.m. to 3:30 p.m.: Final Working Session, County-City Building, Mayor's Conference Room, Room 212

**Tuesday, August 10, 2004** - 7:00 p.m.: Public Hearing on County Budget; County-City Building, County Commissioners Hearing Room, Room 112

**Thursday, August 12, 2004** - 10:00 a.m. to 11:30 a.m.: Review Agricultural Society Budget and Rural Fire District Budgets; County-City Building, Room 113

**Tuesday, August 24, 2004** - 1:30 p.m.: Adopt County Budget, County-City Building, Room 112

D. The Lancaster County Board of Commissioners meeting which is broadcast live at 1:30 p.m. on Tuesdays will be rebroadcast tonight at 6:30 p.m. and again on Saturday afternoon immediately following the City Council meeting rebroadcast on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on the Internet 24 hours a day at <http://www.lancaster.ne.gov>. Click on 5 City-TV Video On Demand.

13) **ADJOURNMENT:**

This agenda, which is kept continually current, is available for inspection in the office of the County Clerk in Lancaster County, Nebraska.

**NOTE:** Interpreters for the hearing impaired are available at the meetings of the County Board upon request. Please contact the County Clerk's Office at 441-7481 at least 48 hours prior to the meeting if this accommodation is required, or if you have any other special communication needs requiring assistance. Telex Sound Masters are also available for audio enhancement during the meeting.

The Board of Commissioners Agenda and Minutes may be accessed on the Internet at <http://www.lancaster.ne.gov> on the County Clerk's website.

**AGENDA**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**TUESDAY, MAY 11, 2004**  
**COUNTY COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS**  
**MEETING**

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, May 4, 2004. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>)
  
- 2) **PUBLIC COMMENT:** The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments will be limited to items on the agenda.
  
- 3) **ADDITIONS AND DEDUCTIONS:**  
  
Approval of 37 additions and deductions to the tax assessment rolls per Exhibit "A".
  
- 4) **MOTOR VEHICLE TAX EXEMPTIONS:**  
  
Cedars Youth Services  
Tabitha, Inc.
  
- 5) **REMOVAL OF A TAX EXEMPTION ON REAL PROPERTY FOR 2004:**  
  
Mount Carmel Cemetery Association
  
- 6) **ADJOURNMENT:**

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CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER  
PROBLEM, PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE  
MAY ACCOMMODATE YOUR NEEDS.**